

## **IC 16-42-23**

### **Chapter 23. Drugs: Use of Amygdalin (Laetrile)**

#### **IC 16-42-23-1**

##### **Health care facilities; restrictions on use**

Sec. 1. Except as provided in section 8 of this chapter, a hospital or other health care facility may not interfere with the physician-patient relationship by restricting or forbidding the use of amygdalin (laetrile) as an adjunct to recognized, customary, or accepted modes of therapy in the treatment of any malignancy, disease, illness, or physical condition if the following conditions exist:

- (1) Amygdalin (laetrile) is prescribed or administered by a physician holding an unlimited license for the practice of medicine in Indiana.
- (2) The patient has signed the "written informed request" as set forth in section 5 of this chapter.

*As added by P.L.2-1993, SEC.25.*

#### **IC 16-42-23-2**

##### **Disciplinary action against attending physician**

Sec. 2. A physician may not be subjected to disciplinary action by the medical licensing board of Indiana for prescribing or administering amygdalin (laetrile) to a patient under the physician's care as an adjunct to recognized, customary, or accepted modes of therapy in the treatment of a malignancy, a disease, an illness, or a physical condition if the patient has signed the written informed request as set forth in section 5 of this chapter.

*As added by P.L.2-1993, SEC.25.*

#### **IC 16-42-23-3**

##### **Prescription or administration permitted with written informed request**

Sec. 3. A physician may prescribe or administer amygdalin (laetrile) instead of or in addition to customary or accepted modes of therapy in the treatment of a malignancy, a disease, an illness, or a physical condition of a patient who has signed the written informed request as set forth in section 5 of this chapter.

*As added by P.L.2-1993, SEC.25.*

#### **IC 16-42-23-4**

##### **Construction of chapter**

Sec. 4. (a) This chapter does not constitute an endorsement of amygdalin (laetrile) for the treatment of a malignancy, a disease, an illness, or a physical condition.

(b) This chapter does not prevent a physician from prescribing amygdalin (laetrile) as a dietary supplement to a patient not suffering from a known malignancy, disease, illness, or physical condition upon execution of the written informed request.

*As added by P.L.2-1993, SEC.25.*

**IC 16-42-23-5**

**Written informed request form**

Sec. 5. (a) The written informed request must be on a form prepared by and obtained from the medical licensing board of Indiana and must be in substance as follows:

WRITTEN INFORMED REQUEST  
FOR PRESCRIPTION OF AMYGDALIN  
(LAETRILE) FOR MEDICAL  
TREATMENT

Patient's name \_\_\_\_\_

Address \_\_\_\_\_

Age \_\_\_\_\_ Sex \_\_\_\_\_

Name and address of prescribing physician  
\_\_\_\_\_

\_\_\_\_\_

Malignancy, disease, illness, or physical condition diagnosed for medical treatment by amygdalin (laetrile) or the use of amygdalin as a dietary supplement:

\_\_\_\_\_

\_\_\_\_\_

My physician has explained the following to me:

(1) That the manufacture and distribution of amygdalin (laetrile) has been banned by the Federal Food and Drug Administration.

(2) That neither the American Cancer Society, the American Medical Association, nor the Indiana State Medical Association recommend use of amygdalin (laetrile) in the treatment of a malignancy, a disease, an illness, or a physical condition.

(3) That there are alternative recognized treatments for the malignancy, disease, illness, or physical condition from which I suffer that my physician has offered to provide for me, including the following:

(Here describe)

\_\_\_\_\_

\_\_\_\_\_

Notwithstanding this explanation, I request prescription and use of amygdalin (laetrile):

(1) in the medical treatment of the malignancy, disease, illness, or physical condition from which I suffer ( ); or

(2) as a dietary supplement ( ).

(Check (1) or (2))

\_\_\_\_\_

Patient or person signing for patient

ATTEST:

\_\_\_\_\_

Prescribing physician

(b) A copy of the written informed request shall be forwarded after execution to the medical licensing board of Indiana for appropriate filing.

*As added by P.L.2-1993, SEC.25.*

### **IC 16-42-23-6**

#### **Regulation of use, sale, prescription, manufacture, or distribution within state**

Sec. 6. (a) Amygdalin (laetrile) is not a drug or a controlled substance under Indiana statutes governing the use, manufacture, or distribution of drugs and controlled substances within Indiana.

(b) A physician may prescribe amygdalin (laetrile) under this chapter as a treatment that may be prescribed under IC 25-22.5-1-1.1(f).

(c) The state department and the Indiana board of pharmacy may regulate the manufacture, distribution, and sale of amygdalin (laetrile) for use within Indiana only to ensure that the substance is not adulterated or misbranded within the meaning of IC 16-42-3.

(d) The state department may not adopt a rule that prohibits the use of amygdalin (laetrile) in a hospital, an ambulatory outpatient surgical center, or a health care facility licensed by the state department.

(e) The Indiana board of pharmacy may not adopt a rule that prohibits the manufacture, distribution, or sale of amygdalin (laetrile) by a person or in any place licensed by the Indiana board of pharmacy.

*As added by P.L.2-1993, SEC.25.*

### **IC 16-42-23-7**

#### **Required manufacture, sale, distribution, or prescription**

Sec. 7. (a) This chapter does not require a:

- (1) physician;
- (2) pharmacist;
- (3) pharmacy;
- (4) manufacturer; or
- (5) distributor;

to manufacture, sell, or distribute amygdalin (laetrile).

(b) This chapter does not require a physician to prescribe amygdalin (laetrile) for a patient.

*As added by P.L.2-1993, SEC.25.*

### **IC 16-42-23-8**

#### **Federal funding of health care facilities**

Sec. 8. If:

- (1) the federal government indicates that the federal government will withdraw all federal funds from a health care facility for allowing amygdalin (laetrile) to be used within the facility; and
- (2) providing or allowing use of amygdalin (laetrile) within the facility would jeopardize the receipt of:

(A) federal funds for reimbursement for Medicare or Medicaid for all persons within the facility; or

(B) construction funds provided by the federal government under the Hill-Burton Hospital Construction Program (42 U.S.C. 291 et seq.) or under Title XVI of the Public Health Services Act (42 U.S.C. 300q-300t);

the hospital or other health care facility may prohibit the use of amygdalin (laetrile) within the hospital or facility.

*As added by P.L.2-1993, SEC.25.*